

Letter B. Martindale presented to Peabody

October 22, 2012

Peabody Energy Corporate Headquarters
Peabody Plaza
701 Market St.
St. Louis, MO 63101-1826
Phone: 314-342-3400

Brent Martindale
7640 County Road 875 East
Carlisle, Indiana 47838
Phone: 812-659-2738

RE: Bear Run Mine, Peabody Energy

To Whom It May Concern,

My name is Brent Martindale and I have lived at the above address with my wife and three children for over nineteen years. I am also a miner and have been in the coal industry over twenty years both as an hourly employee and as mine management. I'm quite knowledgeable in mining law and the many hazards we face in the production of this valuable resource.

We are both well aware of the dangers of coal workers pneumoconiosis (CWP) and silicosis, a form of pneumoconiosis, our miners face today. NIOSH reports that CWP and silicosis is, unfortunately, on the rise in both the underground and surface operations across the United States. Although technology has greatly advanced in the control of respirable dust there is still more to do to prevent reoccurring deaths to this deadly disease.

Over the course of my mining career I have taken steps to protect myself from respirable dust by donning respirators and following company and federal regulations. As a foreman I enforced proper dust control checks, adequate watering practices and educating miners on the dangers of respirable coal and rock dust. And now, I find myself trying to figure out a way to protect my family from the same hazard.

Just after your (Bear Run) operation began I noticed large concentrations of dust settling on my property. Each morning dust is cleaned off of windshields before commuting to work and filters on cars and home are constantly changed to prevent equipment failure. We started to see dust accumulate in and out of our home including on livestock feed and water. Enjoyable evenings outside during the summer months have vanished, depending on wind direction, because of the dangerous dust visible in the air. To combat the added dust indoors my wife, who suffers from Multiple Sclerosis (MS), started cleaning the house three times weekly instead of one.

Over the past year I have conducted a series of test utilizing my company's respirable dust sampling equipment. I ran each sample for twenty four hours in several locations around my house and property. I then sent the samples to an independent lab to be analyzed. What they found was very concerning to say the least.

In addition to a very high weight gain on each cassette they also recorded that each contained an average of over ten percent quartz. Equally alarming, as outlined on the attached graph, is the fact

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that just less than 27% of what they found is respirable. I won't go into the hazards of quartz and respirable dust, you are already aware.

I haven't mentioned this testing to neighbors, co-workers or family. I do realize to be successful in mining today maintaining a low cost per ton is crucial. I also realize my family has been greatly impaired by the respirable dust produced by your operation, not only financially but more importantly emotionally and physically.

I foresee added cost associated with the up-keep of my property (including cars and home) and medical expenses both short and long term. Just recently my daughter was taken to Ambucare with bronchitis. Just a little under a year ago my eight year old was put on medications to keep her eyes and throat from swelling as she suffers daily from dust related issues.

I ask for the opportunity to speak with one of your representatives to show them my data I have collected over the past year as well as photos taken of the dust produced from your operation. I know you have compensated numerous land owners over this issue, I ask for the same. I will not go to the media, neighbors or friends with this yet, I've done all the work. I know you employ hundreds of men and women and with regulations as they now are mines are struggling to stay afloat.

Two things a certain; I have lived in this house for years and will continue to live here with my wife and raise our children and your company will mine your reserves in this area for years to come. Peabody has maintained a great reputation for being an environmentally friendly, community friendly and neighbor friendly company. I'm quite certain we can come to a mutual agreement on this issue.

Thank you for your time.

Sincerely,

Brent Martindale
Carlisle, Indiana